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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Group:* 3731

*Confirmation No.:* 5221

*Application No.:* 10/828,778

*Invention:* APPARATUS FOR SECURING A  
SENSOR TO A SURGICAL  
INSTRUMENT FOR USE IN  
COMPUTER GUIDED  
ORTHOPAEDIC SURGERY

*Applicant:* Gabriel Surma et al.

*Filed:* April 21, 2004

*Attorney*  
*Docket:* 265280-74911

*Examiner:* Unknown

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

on July 28, 2004

Mona Beaton

(Signature)

Mona Beaton

(Printed Name)

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This statement is filed in the application identified above pursuant to 37 C.F.R.

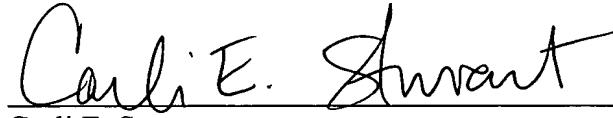
§ 1.56. No representation is intended that a complete search has been made of the prior art or that no better art references than those listed on the attached PTO Form 1449 are available. A copy of each U.S. reference is not provided per the Office's Waiver of the requirement under 37 C.F.R. § 1.98. See Off. Gaz. Pat. Off. 1276, 05 August 2003. However, copies of the "Other References" cited are

provided for review by the Examiner. The filing of this Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in § 1.56(b).

The prior art listed on the attached PTO Form 1449 is not believed to disclose or suggest the invention recited in the claims of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over this reference. Please charge any fees that might be due in connection with this Information Disclosure Statement to Barnes & Thornburg Deposit Account No. 10-0435, with reference to attorney docket number 265280-74911.

Respectfully submitted,

BARNES & THORNBURG

  
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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
INFORMATION DISCLOSURE STATEMENT

ATTY. DOCKET NO.  
265280-74911SERIAL NO.  
10/828,778APPLICANT  
Gabriel Surma et al.FILING DATE  
April 21, 2004GROUP  
3731

## UNITED STATES PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA	5,520,694	May 28, 1996	Dance et al.			
	AB	5,603,318	Feb. 18, 1997	Heilbrun et al.			
	AC	US 2003/0153978	Aug. 14, 2003	Whiteside			
	AD	US 2003/0153829	Aug. 14, 2003	Sarin et al.			
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation Yes No
	AL						
	AM						
	AN						
	AO						
	AP						

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	AQ	Smith & Nephew, Inc. AchieveCAS Computer Assisted Surgery brochure, entitled Innovations In Minimally Invasive Joint Surgery, dated February, 2004, 8 pages.
	AR	
	AS	
	AT	
	AU	
	AV	
	AW	
	AX	

Examiner \_\_\_\_\_ Date Considered \_\_\_\_\_

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.  
Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.